#### Business Notices.

WET GOODS—Consisting of LINEN DAMASKS,
DAMASK TABLE CLOTHS, NAPKISS, Towels, Lines Shearing, Irida Liness, Tollet Quilts, &c., at trice ess than
cost of importation. These Goods are perfect, with the exception of being slightly soiled and wet. Call at
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INDIA RUBBER BOOTS AND OVERSHOES .- A chicle assertment of Ladies' and Gentlemen's INDIA RUBERZ Boors and Shorzs—a light and beautiful article, manufactured expressly for the City trains—just received and for sale by the care or single pair, by I. Honowax, New York India Rubber Warehouse, No. 27 Maiden-lane, corner of Nassauest.

HAT-BINDING MACHINES. - I. M. SINGER & Co. have ready for sale Machines for Binding Straw Hats and all other kinds of Hats. The Machines do the work far bett r and faster than any others. Call and see them at No. 323 Broadway.

FRESH TOMATOES-From the

PHALANX and H. W. CROSEY'S CONSERVATIVES.

For sale by

DREW & FRENCY,

No. 25 Barelay-st.

HOLLOWAY'S PILLS are Nature's aid to Health, especially adapted to this changeable climate. They act upon the liver and stomach, eradicate all poisonous particles from the blood, and avert as well as remove disorganization of the system.

PROPESSOR WIETING'S LETTER-STEARNS & PROFESSOR WIETING'S LETTER—STEARNS COMMANY'S SAFES.

Syracuse, Jan. 17, 1826.

To Mesars. Norton, Eradley & Co., Agents for the sale of fire's SALAMANDER SAFE, an improvement on Wilder's patent Gentlemen: It is so very common now-a-days to recommend everything good, lad, and indifferent, that I seldom allow myself to speak in commendation of anything offered for sale to the public, but I should not do my duty did I healtate to say that I think the shove Safe has no superior. During the late fire in our city my papers were exposed in one of these Safes for 52 hours to the most intense heat without injury except zetting wet by large quantities of water having been thrown upon the Safe before it was taken out of the rules.

J. M. Wieting.

INDIA-RUBBER OVERSHOES-The best-finished,

BATCHELOR'S HAR-DYE, WIGS AND TOU-FEES.—Batchelor's Wigs and Toupees have improvements peculiar to their house alone; 20 years practical experience secures you a perfect fit, comfort and durability. The largest and best stock in the world. Twelve private rooms for applying his structs Harden Pye. To be had at Batchelor's, 235 Broadway.

HERRING'S PATENT CHAMPION FIRE AND BURG LAR-PROOF SASE, with Had's Patent Powder-Proof Lock, be received prize medals at the World's Fair, London, 1831, a Crystal Palace, New-York, 1832-54, Silas C. HERRING & C. Nos. 185, 137 and 139 Water-st., New-York.

PLATFORM SCALES, and every description of Velghing Apparatus, for sale at wholesale and retail by FATRBANKS & CO., No. 189 Broadway, New-York.

Sad, gloomy and dejected he sat alone,
The uneavied relic of epicurean folly;
Bright visions of the future, or findship's ties,
Woke no harmonious sympathies, for Hope was dead.
He joined not in the social converse was loathsome.
A sunken cheek, burning brow, fetil breath,
Stres gth all gone, a palptating heart,
Keyres unstrung, foreboding thought, and sinking pains
Marked the outlines of this Dyspeptic character.
Relief he sought in dugs, but none was found,
Till Hostraters Bitters, with unerring power,
Lad and cen hold of foul disease.
When strength came back, billious symptoms de d

Sold by Grocers, Hotels and Druggists. BARNES

# New-York Daily Tribune.

TUESDAY, JANUARY 29, 1856.

this week should be handed in by noon to-day. The immense edition now issued of this paper, makes it necessary, in order to secure their insertion, that our friends should thus early hand in their favors. ADVERTISEMENTS intended for THE WEEKLY TRIBUNE OF

#### The Tribune for Europe.

We shall issue THIS MORNING an Edition of THE SEMI-WEEKLY TRIBUNE for circulation in Europe. It will contain all the latest News up to the time of going to press. Single copies in wrappers, ready for mailing, can be had at the counter in the publication office. Price Six Cents. The steamship America will leave Boston for Liverpool To-Morrow at 12 o'clock.

Subscriptions and Advertisements for THE NEW-YORK TRIBUNE can be left with the following Agents Parts-Charles Hartwick, No. 18 Rue Vivienne. LONDON-Mr. W. Thomas, Nos. 19 and 21 Catharine

TO CORRESPONDENTS. S. A. SEAMAN, P. M., Thetford. What State? Your \$12 is

received.

JOHN B. STONE & Co., McConnelleville. What State?

J. P. Downing, P. M. What Past-Office and State?

### DOINGS IN CONGRESS.

SENATE, Jan. 28.—Gen. Cass made a long speech on Central American affairs. He thought all things were goirg sn oothly, and that the President was doing his dity. Mr. Collamer gave his views on the Clayton and Bulwer Treaty. Mr. Seward obtained the floor and the Senate adjourned to Thursday.

House, Jan. 28.—Mr. Leiter moved the Plurality

rule, which motion was tabled, 106 to 101. Some personal discussion ensued upon a letter published in a Cleveland paper, reflecting severely on the course of 198th time for Speaker: Banks had 97, Orr 67, Fuller 35, Pennington 3, Edie, 2, Harris and Williams 1 each. Necessary to a choice, 104. Adjourned.

We had another snew-storm yesterday-the fall averaging five or six inches. At midnight the air was warm and a free thaw had commenced.

The storm yesterday considerably delayed the mails. The Albany and Boston trains, due at 10 and 12, had not arrived at 14 this morning. From the South we had nothing beyond Philadelphia.

The steamship Arabia, from Liverpool for Bos ton, is now in her tenth day out, and is therefore nearly due at Halifax. Her news will be to the 19th 'nst., one week later than previous advices.

The freezing of the Ohio R ver, by the facilities thus furnished for crossing from Kentucky to Ohio, seems to have stimulated many of the bondsmen of the latter State to attempt their escape. We learn by telegraph from Cincinnati of the recapture there yesterday of several of these fugitives, not without tragical circumstances of the most affecting character. A mother finding escape hopeless from the hands of the slave-catchers, to save her three children from being dragged back to Slavery, cut their throats, instantly killing one and severely wound ing the other two. Six of the fugitives were captured, but eight, belonging to another party, are said to have effected their escape. When the slave mothers of the South begin to be affected with this fanaticism for freedom, it is not to be believed that either they or their children can long be retained in bondage. Still less is it to be believed that the humane and Christian people of the North, will tolerate the execution among them of a kidnapping statute by which mothers are driven to such extremities.

It was unquestionably one of the objects of the President's late extraordinary Kansas Message to damage Gov. Reeder's chance of being admitted to a seat on the floor of the House as delegate frem that Territory. There is reason, however, to apprehend that in this, as in other objects of that Message the President and his advisers may have reckened without their host. Gov. Reeder's letter, which we publish to-day, and which must be taken only as a foretaste of good things to come, shows that the President and his Border Ruffian Cabinet will find in the ex-Governor no contemptible opponent. It was easy for the President and his Attorney-General to deprive Reeder of his office on a charge of speculating in Indian lands-just as easy as it is for them to keep Indian Agent Clarke in office, though accused of a cold-blooded murder. But when it comes to chopping logic and arguing points of law,

it may turn out that Ex-Governor Reeder single handed is a match for the President and his whole Cabinet combined. We do not intend, in saying this, to pay the Ex-Governor any extravagant compliment. Cushing and Marcy are doubtless his superiors, not only in legal learning but in legal finesse. But then the Ex-Governor has the advantage of having a good cause, and that, according to Shakespeare, is an advantage of at least three to one.

#### TO-DAY'S DUTY.

Our Southern correspondence is particularly rich to-day. We give three letters-one from Kentucky, one from Alabama, and one from Missouri; every one of them written with that genuine elequence which the heart only can inspire. There is no part of our professional duty and prerogative which gives us so much pleasure as thus to give voice through -our columns to those natives of the elaycholding States and residents in them, who not only can find no medium there through which to address the public, but who if such a medium could be found, would write or speak only at the peril of their lives.

Each one of these letters goes to confirm what we have often asserted, that there is at the South no lack of men, including the best informed and most reflecting part of the community, ready to take Anti-Slavery ground the moment they find it safe to do so. We of the North must be callous indeed if we can neglect these earnest appeals coming to us out of the house of bondage-not from the slaves but from the nominally free-appeals to us to stand firm in this great emergency. We fully agree with our Alabama correspondent, that Kansas is to be the battle-ground where the question of Freedom or Slavery for this nation is to be decided forever; and with our Missouri cor respondent, that for the North to prove recreant to her professions now, would demonstrate her inability to govern herself, and would justify all the domination ever assumed by her slavedriving task-masters. "May God so speed the right," says our Alabama correspondent, "and so aid the "friends of humanity that justice shall triumph "everywhere, and Slavery only be known as one of "the darkest pages in our country's history !" "If "the entire North knew," says our Missouri correspondent, "how many hundreds of thousands of "the people of the Slave States would rejoice in "God to see Slavery forever restricted to its con-"stitutional limits, they would lay aside all local differences, and fix their eve on the broad plains and bountiful valleys of Kansas and Nebraska, and at once march in unbroken phalanx to their 'redemption from the blighting mildew of Slavery.'

So much for our own correspondence, apropos of which we give the following extract from a Washington letter in The New-York Courier and Enquirer, a paper certainly not to be accused of any

"To me it appears evident that the people of the Northern States are not aware of the real condition of things in Kansas. I believe that without large supplies of men, money, ammunition and fire-arms, a massacre will take place there in the Spring. This Messacre will take place there in the Spring. sacre will take place there in the Spring. This Message will greatly aggravate the aggressive and violent sprit of the Missouri borderers. If we neglect until the Spring opens the great duty of re-enforcing our people, the opportunity for defence will have been lost. I think I know something of the character of the men with whom they will have to deal. Two years ago I showed that they would do precisely what they have done, and I now state my conviction that a civil war is about to be commenced in Kansas, of which the object, on the part of the aggressors, will be the utter extermination of the Free-State settlers in the Territory, or their expulsion from its soil. Atchison and extermination of the Free-State settlers in the Terri-tory, or their expulsion from its soil. Atchison and Stringfellow openly declare themselves prepared for the greatest excesses, and every circum-tance of this deplorable controversy furnishes a proof that they will deplorable controversy furnishes a proof that they will have the means of executing their plans, unless timely provision be made for meeting and defeating their attacks."

Shall not these appeals be fully answered? Shall not Kansas be defended and rescued? No time is to be lost in the performance of this great duty. Whoever means to share in it should be ready to act at once.

## A SUCKING TWO-YEAR-OLD.

A recent Message by Gov. Wise to the Legislature of Virginia affords a pretty fair specimen of Virginian self-conceit, as well as of what passes in that State for argument, eloquence, and fine writ-Virginia it is well known has been from the first a perfect horse-leech upon the General Government. Not only has she always insisted upon quartering upon that Government in the shape of federal office-holders a most disproportionate number of her citizens; she has also under one pretense or another regularly tugged away at the national treasury like a two-year-old calf at a cow, and often with all four teats in her mouth at once. Compensation for revolutionary services has been a favorite pretense under which the General Government has been stripped now of lands and now of money. This good milk-cow is, however, growing a little restive, and an alleged holding up on her part, and refusal to give down her milk as usual, is the occasion of a Message in which Gov. Wise, now bunting and now bleating, acts the disappointed, overgrown, unweaned calf to per-

In relinquishing her claims to the territory north-west of the Ohio for the satisfaction of her military land-warrants. Virginia reserved what was then conceived to be a tract ample for that purpose, situated between the Miami and Scioto Rivers. But the number of acres covered by these warrants-many of which appear to have been issued on rather slight testimony, and of which the ssue was kept up until August, 1852-became at length greatly in excess of the tract reserved upon which to locate them. Hereupon Virginia applied to the United States to help her out of the difficulty, of which application and the proceedings under it Governor Wise gives the following ac-

"Her lands were ceded away, her reservations were insufficient and inconvenient, too, to another sister State. But a remnant of her warrants were left unstatisfied, and she submitted to her grantee of cession, the Congress of the United States, to pay off the mere balance of claims against her, and to take the settlement of these up to March, 1852, as 'a full and final 'adjustment,' and she would 'relinquish all claim to 'the lands in the Virginia military land district in the 'State of Ohio.'"

State of Ohio. "
"This was so just, the least which could be asked or lone, that Congress passed the act of August 31, 1852, it provides: 'That all unsatisfied outstanding military land warrants or parts of warrants issued or allowed prior to the 1st of March, 1852, by the proper authorities of the Commonwealth of Virginia, for military services, neground by the officers and saddless, seamen vices, performed by the officers and soldiesr, seamen or marines of the Virginia State and continental lines in the army or navy of the Revolution, may be sur-rendered to the Secretary of the Interior, who, upon being satisfied, by a revision of the proofs or by ad-ditional testimony, that any warrant thus surrendered was fairly and justly issued in pursuance of the laws of said Commonwealth, for military services so rendered, shall issue land scrip in favor of the present proprietars."

The United States, in consideration of the relinquishment by Virginia of all her claims to a tract of land which had already been two or three times shingled over with warrants, made a free gift of bonds enough to satisfy all her outstanding warrants fairly and justly issued in pursuance of the laws "of said Commonwealth," up to March, 1852. This grant and the action under it by no means

satisfy the cormorant claimants. They set up that the revision provided for in the act of Congress was not to extend beyond the cases of fraud and mistake; but this, they complain, is not the construction of the Secretary of the Interior. Upon this

topic Gov. Wise expresses himself as follows: "These unsatisfied claimants now complain that this is not the construction by the Secretary of the Iuthis is not the construction by the Secretary of the Interior. His construction seems to be that when a warrant is surrendered, he, the Secretary, must be 'satisfied.' How! 'By a revision of the proofs or by additional testimony!' Of what! 'That any warrant thus surrendered was fairly and justly issued in pursuance of the laws of said Commonwealth.' This is no mere discretion left in him to look into proofs already made or not, but it is imperative on him to registe the proofs, and if need be to examine 'additional testimony.' He must be satisfied. rise the proofs, and if need be to examine 'additional testimony.' He must be satisfied in one way or the other alone 'by revision of the proofs or by additional testimony.' In other words, the act commands him to examine and adjudicate these unsatisfied warrants de novo. And I regret to say that I do not see how the Secretary of the Interior could escape this construction. The act, and not the executive officer, commits the wrong of questioning the finality of the adjudicat one of the Virginia tribunals.'

Governor Wise does not seem to believe in the old maxim that "beggars should not be choosers On the contrary, he insists that Congress shall pass a new law for the satisfaction of all outstanding warrants, without stopping to inquire whether they were "justly" issued or not. He even puts on a great air of offended dignity, as if it were an insult to Virginia to give her a half-loaf when she wants a whole one:

"State laws and State decisions upon them, in such "State laws and State decisions upon them, in such cases, control even the Supreme Court of the United States. I cannot conceive why Congress should thus have assailed the dignity and even integrity of Virginia's forum of conscience, in a matter where gratitude and grant combined to grace a statute with better manners and better morals too. [Can anybody tell what this flight of rhetoric means I] The General Government could hardly deliberate on this act without remembering a gift of great value and a donor of unbounded generosity; without knowing that these warernment could hardly deliberate on this act without remembering a gift of great value and a donor of unbounded generosity; without knowing that these warrants were 'adjudicated' by Virginia, and that Virginia was the obligor who adjudicated against herself that if A assumes to pay debts for B, A may well look to see that debts unliquidated or not confessed are due or not, but he cannot dispute B's acknowledgments or judgments against B. Here Virginia adjudged against herself, in the highest form of acknowledgment and confession, by her laws and her tribunals of last resort. [The case would rather seem to resemble that of a spend-thrift son who freely gives notes which "nebody" is expected to pay.] Fraud alone, or mistake in a material degree ought to be allowed to question such judgments, confessions and acknowledgments in case of even strict right. But here is a sovereign State dealing in revolutionary bounties, in debts of gratifude for services above and bevond all pecuniary price. Here is faith to individuals, and, above all, faith between States and Governments involved. To assume to pay Virginia's debts to her revolutionary patriots, in consideration of Virginia gratuities, too, to the General Government, and then to say to Virginia: 'You have acknowledged and adjudged debts to be due to citizens 'which you did not owe,' is to say to Virginia: 'You have meant such a construction, yet the act so operates by its own express terms, and no imputation on Virginia could be more unjust, for she made these adjudications against herself before Congress assumed the onus of her obligations.

"Why should Congress so distrust Virginia tribu-

obligations.
Why should Congress so distrust Virginia tribunals! They defy all imputation of any corruption They may have been imposed upon by a fraud or beer misled by a mistake. There is no objection, but a desire to correct any fraud or mistake. But the objec tion is to examining anew the original merits of these cases, independent of either fraud or mistake."

Now, begging the Governor's pardon, it appears to us that these two admitted exceptions of fraud and mistake will cover the whole ground. If warrants have been issued not in pursuance of the laws of Virginia, they must have been issued either through fraud or mistake-mistake as to facts or mistakes as to time; and the cases which the Governor puts as illustrations of warrants improperly rejected seem to us precisely of this kind.

The Governor falsely supposes that the United States assumed " Virginia's debt to her revolution-"ary patriots," not only her legal debt but her "debts of gratitude" also. The United States never assumed any thing of the sort. When Virginia ceded her pretended claims to the lands northwest of the Ohio, she was allowed to reserve, and was confirmed in the possession of a large tract out of which she undertook to pay her own revolu tionary obligations. That tract running short, she came a begging to the United States, and they, to get rid of her impudence and her importunities, undertook to satisfy all such warrants as had been legally issued under her laws; and now Mr. Wise turns round and insists upon the satisfaction of all hat have been issued, whether legally or not Nor is the ground upon which this impudent deman based any less impudent than the demand

"It is needless to recapitulate to you the liberal promises which Virginia made to her officers, soldiers, seamen and marines in the Revolutionary war. She was then sorereign of an eminent domain [2] ample enough to pay efficers and men to fight the armies of Kings. To cement the union of the States, to harmon-ize and strengthen their confederacy, she afterward ceded, with more than generous devotion, the whole of her north-west territory to the General Government, reserving only what was called the Virginia Military Land District, between the Miann and Scioto rivers, in the State of Ohio. That reservation was embar-rassing to the new State, and it was not large enough satisfy her revolutionary pledges to her army and avy. She was arbitrary mistress of the contracts ith the officers and men of her defense, made them navy. She was arbitrary mistress of the contracts with the officers and men of her defense, made them independently of all other States or Powers, and settled for herself the amounts and rates of pay and the mode and manner of adjudicating claims upon her bourty. Her resources of lands were large enough for her to be generous as well as just, to add graduiles bounty. Her resources of lands were large enough for her to be generous as well as just, to aid gratuities to debts due to her heroes, if she chose to do so in her sovereign good will find pleasure. No crowned and jeveled missiress of knights was ever more bountful to her defenders; she had a right to be so, for no knights were ever more worthy of a Queen than the sons of Virginia were worthy of their mother State in the War of the Revolution. Her first son, the first of all marking was given to the Continent and to the Liberty mankind, was given to the Continent and to the Liberty of the World, and never took any pay. That service of Freedom, free of charge, should compensate for every bounty that may be overpaid, to every other hero, brother Virginian of Washington,"

Because Washington served his country without pay, is every other Virginian to be tolerated in sponging the United States to his heart's content Gov. Wise confesses that the gratuities promised by Virginia to her officers, in lands to which she had at the time but the shadow of a title, outran the bounty "of any crowned and jeweled mistress of knights"-to borrow his high-flown phraseology; but, not content with all this, he insists upon the confirmation of warrants not sanc tioned by even this profuse system of gratuities. As to the flummery about the "eminent domain" of which Virginia is said to have been "sovereign," and her "generous devotion" in ceding this "emi-"nent domain" to the United States, the facts are worth knowing, and we proceed to state them.

Virginia claimed these lands, north-west of the Ohio, and so did New-York-both on very slender pretenses. Portions of these same lands were also claimed by Connecticut and Massachusetts. The other States insisted, with a great show of reason. that these claims were either fanciful or obsolete. If possession was to be obtained of these lands, it would only be by cession from Great Britain, to be achieved by the joint arms of the States, in which case these lands would be, and ought to be recognised as, the property of the Confederacy, not of any particular State. Maryland resolutely refused to ratify the articles of Union unless this point was conceded. New-York, however, led the way by offering in February, 1780, to cede all her claim to territory west of a north and south line drawn through the westernmost extremity of Lake Ontario. Connecticut followed on October 10 of the same year with an offer to cede all the territory claimed by her except the tract afterward and still known as the Connecticut Reserve. The terror of invasion and the hope of thereby inspiring some energy into the flagging Union whereby the defense of Virginia might be sided, induced the Assembly of that State on the very last day of the year, and just before they fied from Richmond on the appreach of Arnold, to offer a cession of their claims to the territory north of the Ohio. But this offer was so clogged with guaranties respecting the territory north of the Ohio that Congress did not choose to accept it. Nor was Virginia finally forced into "the more than generous devotion" of making a satisfactory cession, which she did not do till more than three years afterward-except by the action of the delegates of New-York in formally executing the cession which they had been authorized to make, and by evident indications thrown out by Congress of an intention to accept this as a satisfactory title, without any regard to the pretended claims of Virginia. Then it was, at last, that Virginia found it necessary to accept the confirmation to her of the reserved military district between the Miami and Scioto, in exchange for her shadow of a title to the entire territory; and this was eertainly making a sharp and a very good bargain. Massachusetts shortly after ceded her claim without making any reservation of any kind; and she would have done this long before, except that she held her claim as a means of coercing Virginia.

Such are the facts, for which, with the ignorance and perversion of history so habitual at the South, this legend of "the more than generous devotion of Virginia" has been substituted-a legend in which the Virginians believe with as much enthusinstic faith as the Irish do the story of their Milesian origin, and with just about as much reason.

#### REPRESENTATIVES AND PEOPLE.

The Courier and Enquirer of yesterday makes the recent protest of some of Mr. Brenton's constituents the occasion for denying the responsibility of the Representative to those who elect him.

The facts in the case of Mr. Brenton seem to be that having been elected to Congress as a zealous Anti-Nebraska man, he for a time voted with the body of the Anti-Nebraska representatives for the candidate for Speaker whom they had decided to support: but on the 5th inst., without any consultation with the others, he declared that he should vote for Mr. Banks no longer, and to that declaration he steadily adhered, voting now for Mr. Bennett and now for Mr. Thurston, until the 17th inst., when he decided to return to the candidate of his party, whom he has since continued to

The declaration thus made by Mr. Brenton on the 5th inst. was duly recorded in THE TRIBUNE, as was his subsequent action in accordance with it; and some of his constituents, feeling that an expression of their sentiments was proper in the case, drew up and signed the protest which appeared in our columns on Friday last. In publishing it, having failed to notice the last change in Mr. Brenton's position, we proceeded to sustain the remonstrance of his constituents with a severity of remark which, however natural in view of the great confidence that had been placed in Mr. Brenton by his constituents and by the Republicans generally, was not appropriate, considering that he had already returned to the path of duty, and was now steadily ccoperating with his colleagues for the triumph o the common cause. This error we corrected yesterday by prominently giving place to a letter in which the facts were correctly stated; and had The Courier merely repeated the same correction, we should have had nothing to say against it.

Bet The Courier omits this duty to give its at tention exclusively to two other points, in regard to both of which it seems to be altegether in the wrong. In the first place it says that the proceeding of the citizens of Indiana was impertinent, the people having no right to rebuke their representatives, or call them to any other account than through the ballot-bex, in case they should seek a reelection. This is preposterous. The people have a perfect right to canvass the acts of a public official at any time and in any manner they may see fit. They may pronounce upon them in private conversation, in public meetings, in letters, in the newspapers, or in any other orderly manner. If a Representative procures his election as the adherent of one line of policy, and afterward forsakes it for another, everybody has the right to have an opinion on his course, and to express it. This is a responsibility no public man need think of escaping-an "impertinence" long practiced. and sure to continue in vogue in spite of The

But our cotemporary alleges that the constituents of Mr. Brenton were specially guilty of impertinence because they based their protest on information derived from the columns of THE TRIB-UNE, and because they ventured to object to his deserting Mr. Banks. In our view, on the other hand, if there is any impertinence in the case, it is on the part of The Courier, which ventures to descant on what it does not understand. The information in question was not, as our cotemporary alleges, the mere assertion of this journal, but the declaration of the honorable Member himself, illustrated by the Congressional proceedings for five days subsequently, showing that he had done what he threatened to do. On such information, we contend that it is perfectly legitimate for the constituents of any public official to form and express an opinion upon his course. They may be right in their judgment or they may be wrong, but it is a judgment which cannot be suppressed, and ought not to be. Nor does it interfere with the proper independence of the Representative, for he acts as he deems advisable after all. In the present case the correctness of such judgment is admitted in the most decided manner, for, even before it had come to his knowledge. Mr. Brenton had adopted the line of conduct which it suggested; and our only regret in the matter is that it should have become public after the occasion for it had been removed.

# A STAR IN THE WEST.

It has been well observed that no breakdown however mortifying, that no treachery even, however unexpected, can ever deprive a great cause of the advocates that it needs. The natural defenders of right and justice -those upon whom their position and their antecedents impose the task of leadership-may be bought up by the hope or the premise of high rewards for their subserviency; or they may be paralyzed and silenced by their fears. But in such cases new advocates never fail to present themselves, and often, too, from the most unexpected quarters, supplying, and more than supplying, the places of those whose services had failed at what seemed the critical emergency. On all great political occasions the people of the

United States have been in the habit of looking.

ever since the commencement of the Revolution, either to Massachusetts or to Virginia, or to both, for leadership and guidance. Massachusetts has particularly distinguished herself in past years by her special advocacy of the rights of man-the rights of the individual-and by her opposition to those ideas upon which the system of personal slavery is based. It was Massachusetts that took the lead in the total abolition of Slavery. It was mainly by the efforts of her representatives in the Continental Congress, and especially of King and Dane, that the Jeffersonian prohibition of Slavery was extended to the territory north-west of the Ohio. Her Judiciary was the first in the Free States to hold the famous principle of Somerset's case to be a part of American cemmon law. In the famous case of the Commonrealth v. Ares her Supreme Court decided that to touch her soil made the recent slave freeunless, indeed, that slave happened to be a runaway from the South, in which case, under the constitutional provision about fugitives from labor, he might be reclaimed by the master, but was free as to everybody else. Massachusetts also was the first State in the Union, or at least the first having any considerable number of colored inhabitants, to abolish all distinctions of easte, to repeal all laws intended to stigmatize the negroes as an inferior race, and to place her colored population, so far as egal rights were concerned, on an exact level with the whites.

distinguished for her advocacy of the Rights of the States-rights of which the preservation, no less than of those of individuals, is essential to the beneficial working of our complicated system of Government. In the early divisions of our general pelitics, Massachusetts, with all her devotion to individual liberty, put herself at the head of the national, or, as it was then more modestly called, the Federal party. Virginia, with no less energy, took the lead in what were stigmatized by the Federal'sts as "local" and "sectional" views, but which Virginia insisted to be real Federalism as opposed to the nationalism of the self-styled Fedralists. The famous resolutions of '98-in which the dectrine of State Rights, as against the idea of a usurping National Government, was fully stated and distinctly avowed-have ever been the political glory and watchword, not merely of Virginia but of the great party long so predominant in our American affairs, which rallied under her standard, and at the head of which she has so generally stood.

Such having been our past political history, it was but natural that when the kidnapping act of 1850 was introduced into Congress-introduced, we are sorry to say, by the degenerate descendant of a noble Virginian, a most striking instance of how the merely accidental blemishes of the ancestor may become in the descendant congenital deformities-it was but natural, we say, that when that kidnapping act of 1850 was unexpectedly sprung upon the country-anact which derisively trampled under foot the dearest rights of individuals and at the same time the dearest rights of the States-it was but natural that all eyes should at once instinctively turn for deliverance first to Massachusetts and then to Virginia. Would Massachusetts ever consent, could Massachusetts ever consent to the passage of an act by which not merely residents within her borders and under the protection of her laws, but persons born free on her own soil, might be transported thousands of miles from their homes and delivered up into perpetual Slavery, not only without trial by jury, but without trial at all, by the fiat, not of a judge, but of a hybrid nondescript, the illegitimate spawn of the courts and the Legislature, metamorphosed from a commissioner to take bail and affidavits, into a creature paid five dollars as a special reward for each particular act of kidnapping, performing this rascally office without the sanction of any oath, and bound to submit his own judgment and even the evidence of his very senses, to an exparte record made up elsewhere?

The good people of these United States, the good people of the South as well as the good people of the North, naturally looked to Massachuetts to take the lead in protesting against this atrocious outrage upon every civil right. They cried for bread, but they were fed with stones and serpents. They got from Massachusetts Mr. Webster's 7th of March speech, Mr. Curtis's opinion in support of the constitutionality of the act of 1850, (for which heartless and unscrupulous piece of sophistry he was shortly after rewarded with a seat on the Supreme Beach of the United States), and, most mortifying of all, the poor, timid, twaddling opinion of the Supreme Court of Massachusetts in the Sims's case-an opinion, however, such as might be expected from Judges who, in favor of a slave-catching, would allow their own Court-house to be surrounded with chains. under which they themselves daily stooped, and even that only by the condescending permission of ome deputy-marshal, some graduate of the stews or the State Prison, selected to enforce "law and order" and put on guard over the Boston Court-

Massachusetts having thus totally broken down, he public eye next naturally turned to Virginia. This act of 1850 not only violated the rights of inlividuals, it violated no less the rights of the States. To pass any act on the subject was a usurpation on the part of Congress, which had no authority, direct or indirect, to legislate in a matter generally committed by the terms of the Constitution to the States. Had it been unexceptionable in other respects, this act was therefore in direct conflict with very principle laid down in the resolutions of '98. But beside this fundamental objection, the particular provisions of the bill were no less in conflict with the rights of the State tribunals, than with the rights of individuals. Where was Virginia at this alarming crisis in the rights of the States? Where was South Carolina, which, in its advocacy of those rights had outrun even Virginia, pushing their vindication to the verge of nullification and even of civil war ? As dead, both of them, as disgracefully silentas, even Massachusetts-induced by the false hope of getting back a few runaway slaves, to sell their political birthright, persuaded to throw State Rights to the dogs, and to join in the advoacy and support of a bill intended and designed, is to the subject matter to which it extends, totally to extinguish the existence of the States, not only as independent communities, but as bodies politic at all.

In this alarming emergency, though abandoned and even trampled under foot by their ancient and hereditary advocates, individual liberty and State Rights found advocacy as able as it was unexpected from one of the vigorous, young, rising States of the North-west. The State of Wisconsin, true to the spirit of the ordinance of '87, whence she takes her existence and her fundamental law, and reproducing in ripe maturity, enriched and improved by transmission, the political ideas of her god-

fathers. Jefferson, King, and Dane-the Wisconsin in this emergency steps forward be rescue. The words which stuck in the entre doctrine which the Virginia Court of Appellonger dares to utter, the Supreme Court of W. consin has boldly and calmly spoken out. We have before us the first 218 pages of the third volume of the Wisconsin Reports, contain ing the decisions of the Supreme Court of the State in the cases of Booth and Rycraft, IL Booth, it will be recollected, is a citizen of Milwaukee, against whom, in May, 1854, pro-ceedings were taken, under the act of 1850, before a United States Commissioner, on the charge of having assisted in the rescue from the Maran of one Joshua Glover, "the property" of

Beneni S. Garland, and held to service under

the laws of Missouri, from which service he bel

escaped into Wisconsin. Having been arrested

upon a warrant issued by the Commissioner, Book

sued out a habeas corpus, on which he was brought

before Judge Smith of the Supreme Court of Wis.

consin, by whom he was discharged, on the

double ground: first, that the kidnapping act of

1850 and of course all legal proceedings under

were unconstitutional and void; and secondly, that even admitting the constitutionality of that act the warrant and other papers did not show any legal ground of commitment. In consequence of this decision, the proceedings in the case were removed by certiorari into the full court, which Virginia, on the other hand, has been not less consists of three judges. After argument, all of the judges sustained the discharge ordered by Judge Smith, on the ground of the insufficiency of the warrant; while two out of the three, Judge Smith included, also held the act of 1850 to be unconsti-Subsequently Booth and Rycraft were indicted on the same charge in the District Court of the United States for the District of Wisconsin, when Booth, being again arrested, again sued out be habeas corpus before the Supreme Court of Wisconsin, asking to be discharged on the ground that as indictment could be valid under the act of 1850 for want of constitutionality in that act itself. As however, the case was now regularly before the District Court, and as the commitment under which Booth was held appeared to be regular, the Supreme Court declined to interfere in this stage of the case—at which, as we recollect, the Pro-Slavery papers all over the country raised a

> prisonments. Shortly afterward the indictments came on in trial in the District Court. The art of packing juries and of browbeating them after they we packed, seems to be as well understood in Wiscon sin as elsewhere; and though, on the facts, there was really no case against the indicted parties, the Marshal, the District-Attorney and the District-Judge, between them, succeeded, by dint of great efforts, in getting a verdict of guilty; and upon the judgment rendered thereupon Booth and Rycras were committed to prison. Again they sued out their habeas corpus from the Supreme Court of Wisconsin, by which Court, after argument, they were discharged from imprisonment on the double ground: first, that the records of their conviction did not show any offense committed under the act of 1850, upon which act the indictments against then purported to be founded; and secondly, that even had an offense under that act been sufficiently set out in the indictments and records, it would have availed nothing, because that act is unconstitutional and void, and can therefore confer no jurisdiction on the Courts of the United States to fine and mprison citizens of Wisconsin.

The announcement of this decision occasioned

great shout as if the Supreme Court of Wisconsin

had backed out of its position, and had abandoned

its claim to protect its citizens against false im-

great hue-and-cry by the Hunkers and Pro-Slavery men throughout the Union, as contrary to the pris ciples of our Federal Government and leading directly to a conflict between the States and the Federal authorities, which, according to these get tlemen, can only be prevented by allowing the Federal Courts to judge exclusively, and upon all Federal matters to do as they please. The Wisacknowledge any such exclusive right of isterpreting the Constitution and laws of the United States to reside in the Federal Cours would be fatal to the independence of the States. 'According to their view, the right & expounding the Federal Constitution and laws is a concurrent right in the Federal Cours and in the State Courts—the State Judges being sworn to observe the Constitution of the United States no less than their own State Constitution and laws-the ultimate appeal being, in case d diverse interpretations, to public opinion and the good sense of the people, who are the superiors and the ultimate sovereigns of all our tribunals and our authorities, State and Federal. To give either to the State or to the Federal Courts an absolute and exclusive authority as to questions of conflict ing jurisdiction would be to place the one in a subordination to the other, which the Federal Count tution never contemplated. In fact, the doctries of State Rights, as presented by the Wisconia Court, while it preserves everything in the resolutions of '98 essential to their security, avoids many of the objections which have been urged sgains those resolutions as inconsistent with the peaceful and regular working of our national system.

In order fully to lay before our readers the views taken by the Supreme Court of Wisconsin on this most important and interesting questice, we give to-day three long extracts from as many different opinions, delivered by Judge Smith in the course of the proceedings in Booth's case. Let no person omit to read them on account of their length. They will amply repay perusal; and the interest in the subject is the greater, since Attorney-Geseral Cushing has taken steps to have the case carried up to the Supreme Court of the United States; so that we shall soon see what that Court has to say in favor of the assumed exclusive right of the Federal tribunals to interpret the Constitution and laws of the United States. The course indeed which that tribunal is expected to follow, has been already marked out for it in a novel-to borrow & term from the civil law-already promulgated a this subject by our diligent Attorney-General, whe already begins to anticipate, by a profuse issue d such new versions of the law, his promotion to the Chief-Justiceship of the United States. The Chief. Justice expectant is, however, not a match is Judge Smith.

MINNESOTA RICE,-The wild rice of the swamps Minnesota has produced an abundant crop this real, and upon this myriads of ducks and geese fatted miles the water froze up. The Indians also make great of wild rice. It has been sown in Connecticut, produces well.

ELE MEAT is one of the luxuries of the Duboque